

FORTY-SIXTH DAY

(Tuesday, April 4, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Hudson	Weinert
Owen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, in sickness we turn to the physician for help. We pray that in this moment we may turn our thoughts to the Great Physician, who can bind up our wounds, mend our broken hearts, and save us from our sins. Let us feel underneath us the everlasting arms of Thy healing and saving power. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Weinert was granted leave of absence for today on account of illness in the family on motion of Senator Krueger.

Senator Owen was granted leave of absence for today on account of important business on motion of Senator Creighton.

Senator Hudson was granted leave of absence for today on account of

important business on motion of Senator Herring.

Senate Bill 427 on First Reading

Senator Creighton moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Hudson	Weinert
Owen	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Creighton:

S. B. No. 427, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds heretofore authorized by any Home Rule City in the State of Texas which pledge the revenues of its water, sewer, or electric systems, or any combination of such revenues, and any and all proceedings pertaining to the authorization and issuance thereof, and authorizing the issuance, sale and delivery of such bonds; providing that this Act shall apply only to bonds authorized at an election or elections wherein a majority of the voting qualified property taxpaying voters who had duly rendered their property for taxation voted in favor thereof; providing that this Act shall not affect bonds or the proceedings relating to the authorization of bonds in litigation on the effective date of this Act, if such suit or litigation is ultimately determined against the validity of the proceedings or bonds, except

insofar as same might be affected by any such City being engaged in a suit or litigation questioning the power of such City to annex territory wherein the validity of its Home Rule Charter and the authority of the governing body of such City to function under such Home Rule Charter may be contested or under attack; providing a savings clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 428 on First Reading

Senator Hardeman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Hudson	Weinert
Owen	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senators Hardeman, Creighton and Aikin:

S. B. No. 428, A bill to be entitled "An Act amending Section 1 of Chapter 351, Acts 1953, Fifty-third Legislature, as amended by Chapter 435, Acts 1957, Fifty-fifth Legislature (which is codified in Vernon's Texas Civil Statutes as Article 2654c) so as to require the Governing Boards of the several state institutions of collegiate rank to follow rules, regulations, and interpretations of the Commission on Higher Education respecting non-resident student tuition or

registration fees required by law; providing that copies of such rules, regulations, and interpretations issued by said Commission shall be furnished to public junior colleges; authorizing the reclassification of a "non-resident" student 21 years of age or over as a "resident student: upon conclusive evidence that he is in fact a legal resident of Texas; and containing an emergency clause."

To the Committee on Education.

Senate Bill 429 on First Reading

Senator Smith moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Hudson	Weinert
Owen	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Smith:

S. B. No. 429, A bill to be entitled "An Act amending Article 4479 of the Revised Civil Statutes of Texas, 1925, as amended, to allow the commissioners court of a county to compensate the board of managers of county hospitals by furnishing hospitalization insurance; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
April 4, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Counties, Cities and Towns, to whom was referred S. B. No. 427, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Resolution 277

Senator Herring offered the following resolution:

Whereas, Peace among the Nations of the World can come only through putting into practice the often-expressed desire for better understanding; and

Whereas, The best place to start understanding is in the individual communities of our land inasmuch as we in the United States are a melting pot of nations seeking freedom for the individual from fear and from want; and

Whereas, El Campo, Texas, and surrounding communities, has often been called an "All-American City" because its people today speak the tongues of a dozen nations and for this has on two different occasions received honorable mention in Look Magazine's "All-American Cities" Contest; and

Whereas, Recognizing this rich heritage, the City of El Campo and surrounding communities, through the leadership of Radio Station KULP, will on April 9, 1961, hold its Third Annual "All Nations Festival," and

Whereas, Descendants of nine different lands of the world; namely, Denmark, Sweden, Mexico, Czechoslovakia, Germany, Israel, England, France, and Italy will, through food, folk songs, fine costumes, and full to overflowing with the spirit of brotherly love, make a rich contribution to the realm of the understanding of one another; now, therefore,

Be it Resolved, That the Senate of the State of Texas give due recognition to this great effort and applaud this continued contribution on the part of the people of El Campo and the surrounding areas and communities to build this firm foundation from which the desire of understand-

ing of the people of the earth may grow and prosper.

HERRING
KRUEGER

The resolution was read and was adopted.

Senate Bill 427 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent S. B. No. 427 was ordered not printed.

Senate Resolution 278

Senator Krueger offered the following resolution:

Whereas, On Sunday, April 9, 1961, in the City of El Campo, Wharton County, Texas, the third annual "All Nations Festival" will be held as a part of this community's contribution to better understanding among the peoples of the world; and

Whereas, It is fitting that this community do this great deed because it has often been called the All-American City and because it is known to be a melting pot of the people from a dozen different lands; and

Whereas, An integral part of this celebration is the contribution made by the community of Danevang whose people are rich in the proud heritage of the great Nation of Denmark; and

Whereas, To enhance their contribution on this occasion, the Ambassador of Denmark to the United States, Count Knuth-Winterfeldt, will visit the community of Danevang to be a part of the daily life of Danevang on Sunday, April 9, 1961, and will be the honor guest at this third "All Nations Festival"; and

Whereas, The Governor of the State of Texas has honored Count Knuth-Winterfeldt by making him an Honorary Texas Citizen; and

Whereas, It is the desire of the Senate of the State of Texas to honor this distinguished leader of the great Nation of Denmark on the occasion of his visit to Texas and the City of Danevang and El Campo to participate in the "All Nations Festival" in El Campo and to extend to him the hand of friendship and good will; now, therefore, be it

Resolved, By the Senate of the State of Texas that we officially welcome him to the great State of Texas and more especially to the communities of Danevang and El Campo.

The resolution was read and was adopted.

Senate Concurrent Resolution 43

Senator Martin offered the following resolution:

S. C. R. No. 43, Requesting Governor to establish within the Executive Department the position of State Coordinator of Aging Services.

Whereas, In recent years, citizens of the State and of the Nation have become profoundly aware of the increased lifespan phenomenon of our time, brought about by unprecedented improvements in our standards of living and in medical science advancements; and

Whereas, As a result of this lengthened lifespan, together with the State's overall population explosion during the past ten years, there are now approximately 700,000 Texas citizens who are sixty-five years of age or older, or nearly ten times more than there were in 1900, and the number is expected to exceed the million mark by 1975; and

Whereas, These added years too often present economic and social difficulties which must be resolved in order to render the aging and aged periods of life productive, independent and meaningful, and our society cannot afford the economic waste of a disproportionate rate of dependency on the part of its elderly people, nor can our morally responsible society permit the tragedy of unnecessary and premature deterioration of its aging citizens; and

Whereas, Recognizing these facts, the Governor of Texas, in cooperation with the President of the United States, and with the Governors of all of the other States of the nation, recently completed over a year's intensive study of our aging population, the Texas study having been directed by the Governor's Committee for the White House Conference on Aging, comprised of civic-minded citizens from every part of the State, with some 4,000 local citizens participating, and these studies were climaxed by State-wide and national conferences wherein specific recommendations for immediate and long-range remedial action were developed; and

Whereas, The Texas study, as well as the studies of the other States, was financed through a special grant for this purpose from the Federal Government, and those funds now are

exhausted, and the survey purposes for which the Governor's Committee for the White House Conference on Aging was created have been concluded, bringing the State to the crucial point where follow-up action is imperative to effect the recommendations applicable to circumstances in our State; now, therefore, be it

Resolved, By the Senate of the State of Texas, with the House of Representatives concurring, that the Governor be and is hereby requested to create within the Executive Department of the State the position of State Coordinator of Aging Services, the said Coordinator to function under the direction of and be responsible to the Governor of the State; and the duties of the Coordinator shall be to serve as liaison with the various State Governmental agencies whose programs and activities deal with elderly citizens as advisor to and liaison with voluntary organizations either having or planning services for the elderly, as a clearing house for information on aging, and to engage in other pertinent activities as directed by the Governor on behalf of the aged and aging people of Texas; and be it further

Resolved, That it is not the intention of the Legislature to create a State Agency for the purposes outlined herein, but rather it is the opinion of the Legislature that the desired goals can best be accomplished through the services of the said Coordinator herein requested, with proper clerical assistance, as determined by the Governor and at a salary to be determined by the Governor from funds appropriated to the Executive Department.

The resolution was read and was referred to the Committee on State Affairs.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
April 4, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 429, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 80 on Second Reading

Senator Creighton asked unanimous consent to suspend the regular order of business and take up S. B. No. 80 for consideration at this time.

There was objection.

Senator Creighton then moved to suspend the regular order of business and take up S. B. No. 80 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Lane
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Reagan
Fuller	Rogers
Gonzalez	Secrest
Hardeman	Smith
Herring	Willis
Kazen	

Nays—5

Baker	Ratliff
Krueger	Roberts
Martin	

Absent

Hazlewood	Schwartz
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Absent—Excused

Hudson	Weinert
Owen	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 80, A bill to be entitled "An Act authorizing incentive aid payments to certain independent school districts; specifying the conditions for such incentive payments, and making other provisions relating thereto; containing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following committee amendment to the bill:

Amend Senate Bill No. 80 by adding Section 2a to read as follows:

"Section 2a. The cost of Incentive Aid Payments hereby authorized shall be paid from the Foundation School Fund. Such costs shall be considered and included by the Foundation School Fund Budget Committee in estimating the funds needed for purposes of the Foundation School program and such Incentive Aid Payments."

The committee amendment was adopted.

Senator Krueger offered the following amendment to the bill:

Amend S. B. No. 80 as printed, Section One line 32, Page 1 to strike out the words and figures "ten (10) years" and insert in lieu thereof the words and figures "five (5) years."

The amendment was read.

Senator Creighton moved to table the amendment.

Question on motion to table, Yeas and Nays were demanded.

Question—Shall the amendment by Senator Krueger to S. B. No. 80 be tabled?

Adjournment

On motion of Senator Hardeman the Senate at 11:47 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

Welcome Resolution

S. R. No. 276, By Senator Hazlewood: Extending Welcome to Mr. and Mrs. H. L. Allison et al. of Amarillo.

FORTY-SEVENTH DAY

(Wednesday, April 5, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Kazen
Dies	Krueger